

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

EDWARD C TIDWELL, et al.,
Plaintiffs,
v.
CSHP ONE LP, et al.,
Defendants.

Case No. [20-cv-01368-VC](#)

ORDER DISMISSING CASE

The lawsuit appears to arise from a housing dispute: Tidwell alleges that the defendants filed an unlawful detainer action against his ex-wife, daughter, and son. He also alleges that a lease agreement that his ex-wife and son signed was defective. Tidwell is the only plaintiff in this case, and he was not a party to the lease or to the unlawful detainer action.

Tidwell's first complaint was dismissed for lack of jurisdiction and for failure to state a claim. He was granted leave to amend and was referred to the Northern District of California's Legal Help Center. He filed an amended complaint alleging violations of the ADA, the Unruh Act, and Sections 1 and 7 of the California Constitution.¹ The amended complaint is difficult to parse, but it does not contain any material facts beyond those he included in the first dismissed complaint. Even taking the allegations of both complaints together, Tidwell has failed to state a claim under any of the laws he cites.

The Court is under an obligation to dismiss this case "at any time" if it determines that the action is frivolous. *See* 28 U.S.C. § 1915(e)(2). Tidwell has repeatedly failed to allege facts

¹ Sections 1 and 7 recognize inalienable rights in life, liberty, and property, and declare that people should not be denied equal protections of the laws. Cal. Const. art. I, §§ 1, 7.

giving rise to a cognizable claim. (And the case, moreover, appears to concern a dispute that does not involve him.) Because Tidwell cannot state a plausible basis for relief, this case is dismissed with prejudice.

IT IS SO ORDERED.

Dated: July 17, 2020



VINCE CHHABRIA
United States District Judge